

U.S. Patent Application Serial No. **10/532,682**
Response filed September 16, 2010
Reply to OA dated June 18, 2010

REMARKS

Claims 1, 3-7 and 9 are pending in this application. Claims 1 and 3-7 are canceled without prejudice or disclaimer, and claim 9 is amended herein. Upon entry of this amendment, claim 9 will be pending. Entry of this amendment and reconsideration of the objection are respectfully requested. Applicant submits that the present amendment only cancels claims and complies with a requirement of form, in accordance with 37 CFR 1.116(b)(1).

No new matter has been introduced by this Amendment. Claim 9 has been amended to be in independent form, retaining its original scope.

Claims 1 and 3-7 remain rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. (Office action p. 2)

Claim 7 remains rejected under 35 U.S.C. §102(b) as being anticipated by Bills (US 1,775,548). (Office action p.3)

Claim 7 remains rejected under 35 U.S.C. §102(b) as being anticipated by Knol (US 2,536,753). (Office action p.3)

Claims 1, 3, 6 and 7 remain rejected under 35 U.S.C. §103(a) as being unpatentable over Knol (US 2,536,753) in view of Bills (*supra*). (Office action p.3)

U.S. Patent Application Serial No. 10/532,682
Response filed September 16, 2010
Reply to OA dated June 18, 2010

Claim 5 remains rejected under 35 U.S.C. §103(a) as being unpatentable over Knol (*supra*) and Bills (*supra*) and further in view of Nimberger et al. (US 5,498,138). (Office action p. 4)

Claim 4 remains rejected under 35 U.S.C. §103(a) as being unpatentable over Knol (*supra*) and Bills (*supra*) and further in view of Watannabe et al. (US 4,447,362). (Office action p. 4)

The above rejections are moot in view of the cancellation of claims 1 and 3-7 without prejudice or disclaimer.

Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. (Office action p. 7)

Reconsideration of the objection is respectfully requested in view of the amendment to claim 9, which has been amended to incorporate the limitations of canceled independent claim 1. For simplicity, the phrase "water-insoluble organic solvent" has been completely replaced by --hexane-- in the amended claim.


U.S. Patent Application Serial No. **10/532,682**
Response filed September 16, 2010
Reply to OA dated June 18, 2010

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicant's undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP


Daniel A. Geselowitz, Ph.D.
Agent for Applicant
Reg. No. 42,573

DAG/xl

Atty. Docket No. **090338**
Suite 400
1420 K Street, N.W.
Washington, D.C. 20005
(202) 659-2930



23850

PATENT & TRADEMARK OFFICE